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9
10 **IN THE UNITED STATES DISTRICT COURT**
FOR THE EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 TERRY LE CLAIR,

15 Defendant.

16 Case No.: 2:22-cr-00197-JAM

17
18 **STIPULATION AND ORDER**
CONTINUING STATUS CONFERENCE

19 **STIPULATION**

20 Defendant Terry Le Clair, by and through his undersigned counsel, and Plaintiff United
21 States of America, by and through its counsel of record, hereby stipulate as follows:

22 1. By previous stipulation and order of the Court, the Status Conference in this matter
23 was set for November 21, 2023. The parties now seek to vacate that date and
24 request the matter be reset for January 23, 2024 at 9:00 AM. The defendant agrees
25 to waive time under the Speedy Trial Act pursuant to Local Code T4, defense
26 preparation, up to and through the January 23, 2024 date.

27 2. To date, defense counsel has received over 1000 pages of documents and 8 audio
28 files. The government has represented that additional discovery, including
numerous photographs, are available to view at its Roseville, California office, and

1 that its investigation is ongoing.

2

3 3. At this time, counsel for defendant requires additional time to conduct investigation

4 and research related to the charges, review discovery for this matter, discuss

5 potential resolutions, and to otherwise prepare for trial.

6

7 4. The parties stipulate that the failure to grant the above-requested continuance would

8 deny defense counsel reasonable time necessary for effective preparation, taking

9 into account the exercise of due diligence.

10

11 5. For the purposes of calculating time under the Speedy Trial Act, 18 U.S.C. § 3161,

12 et seq., the parties agree and request that the time period from November 21, 2023,

13 to January 23, 2024 inclusive, be excluded under 18 U.S.C. § 3161(h)(7)(A), B(iv)

14 [Local Code T4] upon such finding by the Court that the ends of justice served by

15 taking such action outweigh the best interest of the public and the defendant in a

16 speedy trial.

17 IT IS SO STIPULATED.

18 Dated: November 16, 2023

19 /s/ ETAN ZAITSU

20

21 ETAN ZAITSU
Counsel for Defendant
TERRY LE CLAIR

22 Dated: November 16, 2023

23 PHILLIP A. TALBERT
United States Attorney

24 /s/ CHRISTINA MCCALL

25 CHRISTINA MCCALL
Assistant United States Attorney

ORDER

IT IS SO ORDERED that the status conference currently scheduled for November 21, 2023 is hereby **CONTINUED** to **January 23, 2024, at 09:00 a.m.** It is further ordered that the time period between these dates is excluded under the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B)(i) and (iv), as the ends of justice served by granting the continuance outweigh the best interest of the public and the defendant in a speedy trial.

IT IS SO FOUND AND ORDERED.

Dated: November 16, 2023

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ
SENIOR UNITED STATES DISTRICT JUDGE